

I write to urge you to reject the Notice of Proposed Rulemaking #02-230, which would limit the functionality of digital television sets. As currently constructed, this •broadcast flag• proposal would hamper innovation in digital televisions

and other electronic equipment capable of receiving digital broadcasts. The broadcast flag proposal before the commission

was the product of the •Broadcast Protection Discussion Group,• a select group of industry insiders who brokered the deal.

It would be unfortunate if the FCC were to codify this pact at the expense of consumer flexibility and choice. While piracy

is a valid concern, it is not the only issue that should be considered.

Entertainment industry protections must be weighed

against consumers• freedom to purchase and employ technology to enhance and use content. If enacted, the broadcast

flag proposal would ignore these concerns and turn technological development over to an all-powerful subset of the

entertainment industry. In recent years, the entertainment industry has become acutely aware of the challenges it faces

in the digital era. But these challenges do not give it the right to restrict consumers• abilities to record their favorite programs,

or purchase electronic devices that allow them to record and save such programming solely for private use. The market is

best suited to address and weigh these competing concerns and the FCC should give it time to work - particularly in a nascent

industry like digital television -- before handing over consumer rights and great monopoly power to the whims of entertainment industry executives.

It would seem that \"tagging media\" to facilitate copyright enforcement in the case of illegal commercial use is a far better